

City Council Introduction: **Monday**, January 30, 2006  
Public Hearing: **Monday**, February 6, 2006, at **1:30 p.m.**

Bill No. 06R-10  
Bill No. 06R-11

## **FACTSHEET**

**TITLE:** Intent to Create two Downtown Business Management Districts, requested by the Director of the Urban Development Department, pursuant to Neb.Rev.Stat. §§ 19-4015 to 19-4038, otherwise known as the "Business Improvement District (BID) Act".

**STAFF RECOMMENDATION:** A finding of conformance with the Comprehensive Plan.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda: 12/21/05  
Administrative Action: 12/21/05

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan (7-0: Carlson, Carroll, Esseks, Larson, Strand Sunderman and Taylor voting 'yes'; Krieser and Pearson absent).

### **FINDINGS OF FACT:**

1. This is a request by the Director of the Urban Development Department to create two proposed Downtown Management Districts located in Downtown Lincoln, generally from 7th/8th Streets on the west to 17<sup>th</sup> Street on the east; and generally from the Lincoln Mall on the south to Q/R Streets on the north. The Management Area District consists of approximately 254.0 acres, more or less, and the Core Overlay District consists of 85.5 acres, more or less.
2. The staff recommendation to find the proposed creation of the Business Management Districts to be in conformance with the Comprehensive Plan is based on the "Analysis" as set forth on p.4.
3. On December 21, 2005, this application appeared on the Planning Commission Consent Agenda and was opened for public hearing. No one came forward to speak.
4. On December 21, 2005, the Planning Commission agreed with the staff recommendation and voted 7-0 (Krieser and Pearson absent) to find the proposed creation of two Downtown Business Management Districts to be in conformance with the Comprehensive Plan (**Comprehensive Plan Conformance No. 05016**).

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** January 23, 2006

**REVIEWED BY:** \_\_\_\_\_

**DATE:** January 23, 2006

**REFERENCE NUMBER:** FS\CC\2006\CPC.05016

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

**December 21, 2005 PLANNING COMMISSION MEETING**

**PROJECT NO.:** Comprehensive Plan Conformance No. 05016  
Downtown Business Management Districts (Management BIDs)

**PROPOSAL:** This is a request from the Director of the City's Urban Development Department to find the creation of two proposed Downtown Management Districts to be in conformance with the City of Lincoln-Lancaster County Comprehensive Plan. This action is being requested in accordance with Nebraska State Statutes 19-4015 to 19-4038, otherwise known as the "Business Improvement District (BID) Act."

**CONCLUSION:** Creation of the two proposed Downtown Management Districts is in conformance with the Comprehensive Plan (including the recently completed "Downtown Master Plan") and supports the goals of the Comprehensive Plan.

<b>RECOMMENDATION:</b>	<b>In conformance with the Comprehensive Plan</b>
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## **GENERAL INFORMATION:**

**LOCATION:** Downtown Lincoln, generally from 7th/8th Streets on the west to 17<sup>th</sup> Street on the east; and generally from the Lincoln Mall on the south to Q/R Streets on the north

**LAND AREA:** Management Area District: 254.0 acres  
Core Overlay District: 85.5 acres

**EXISTING ZONING:** Primarily "B-4" (Lincoln Center Business District), with a number of small pockets of "P" (Public) and "O-1" (Office)

**EXISTING LAND USE:** Mixture of land use types that are typical of downtowns. The area is dominated by commercial (i.e., office, service and retail) uses, along with a diverse combination of public, institutional, industrial, parking, and open space.

**SURROUNDING LAND USES AND ZONING:** Downtown Lincoln is surrounded by areas containing a variety of land uses and zoning districts, including the University of Nebraska-Lincoln flagship's campus along the northern edge (primarily zoned "P"); industrial uses along the western edge (primarily zoned "I-1"); commercial uses along the eastern edge (primarily zoning "B-4"); and an area along that southern edge dominated by residential uses, along with some commercial and public uses (primarily zoned "R-8," "P," and "O-1.")

**HISTORY:** Downtown Lincoln has been served by a variety of "Business Improvement Districts" (BIDs) for over 25 years. The first BID – created for the purpose of providing maintenance and landscape services within the public right-of-way – was approved by the City of Lincoln in 1979. This BID still operates in the Downtown and provides maintenance and landscaping services throughout the District.

Two Downtown "Management BIDs" were established by the City in 1989. These management BIDs provided the funding for a variety of activities, including parking management, marketing, economic development, communication, and advocacy services. This package of services was delivered through the auspices of the Downtown Lincoln Association (DLA.)

These two Downtown Management BIDs were renewed in 1999. As part of the renewal process the BIDs were substantially restructured. Programs were redesigned to respond to property owner priorities and the assessment structure was modified to create a more fair and equitable system. The 1999 changes included establishment of a large service area covering most of the Downtown area, as well as the identification of a "Core Overlay BID" allowing for enhanced services within Downtown's central business area. The City's 1999 legislation also provided for the review and re-creation of the two Management BIDs after seven years. DLA continues to serve as the operating entity for the two Management BIDs.

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

### ***Comprehensive Plan "Vision Statement" includes:***

**"Downtown Lincoln - The Heart of Our Community:** Downtown Lincoln belongs to all residents of Nebraska because "downtown" is synonymous with the University of Nebraska, state government, and the State Capitol Building. This state-wide ownership has strong economic implications, and for that reason, as well as the desire to maintain downtown as the "heartbeat" of the community, the Comprehensive Plan will ensure that downtown remains a special place. The plan will seek to preserve vistas and institutions of cultural importance, to reinforce the district as a center of entertainment, and to promote a rich diversity of activities and uses, including housing, education, government, offices, and commerce."

### ***Comprehensive Plan "Future Conditions - Business & Commerce" includes:***

"The City should preserve and enhance Downtown's role as:

- the major office and service employment center of the City
- the focus of all levels of government
- the City's principal cultural and entertainment center
- the hotel and convention center for the City
- the City's financial center
- a hub of higher education
- specialty retail geared toward employees, area residents, convention visitors, and University population

"Lincoln's successful Theater Policy must be maintained and reinforced. New entertainment attractions should be encouraged to locate in the Downtown.

"The City's government center must remain Downtown. All efforts should be made to locate local, state and federal offices Downtown when expansions and relocations are considered."

### ***Downtown Master Plan "Implementation Program" includes:***

**"Business Improvement Districts** - Downtown Lincoln benefits from business improvement districts that provide reliable and consistent funding for downtown marketing, maintenance and management activities. The continuation of the BIDs is critical to the ongoing success of the downtown. It is the policy of the City of Lincoln to support the continuation of Downtown Lincoln's BIDs as an integral long-term implementation tool for the Lincoln Downtown Master Plan."

## **ANALYSIS:**

1. The present application requests the Planning Commission to review the two proposed Downtown “Business Management Districts” (a.k.a., BIDs) for their conformity with the adopted City-County Comprehensive Plan.
2. Nebraska State Statute Sections 19-4015 to 19-4038 are collectively known as the “Business Improvements District Act.” This Act allows cities of the metropolitan, primary, first, and secondary classes to create “business improvement districts” (BIDs) in areas of their city “zoned for business, public, or commercial purposes.” The intent of this legislation is to allow communities to collect funds from real property and/or businesses within the BID boundaries for use in providing a variety of services to the designated area. The Statute calls for the initial appointment of a “Business Improvement Board” by the elected officials of the community. The Board is to then make recommendations delineating the geographic area of the BID and “for the establishment of a plan or plans for improvements in the business area.” In cities having a planning commission, the creation of the proposed BID is to be reviewed by the commission prior to the recommendation being acted upon by the local city council.
3. In accordance with the State Statute, the City of Lincoln has established a “Business Improvement Board” for the present (2005/06) BID application. This Board is composed of the following twelve members: Jim Arter, Debby Brehm, Terry Bundy, Christine Jackson, Cinnamon Dokken, Cheryl Krueger, Scott Miller, Rick Noyes, Robert Scott, Ed Swotek, Nick Vuko, and Dick Young. The Board has been supported in their review of the proposed BIDs by professional staff from the City’s Urban Development Department, the Downtown Lincoln Association, and the firm of Progressive Urban Management Associates. At their November 16, 2005, meeting, the Board voted unanimously to recommend the retention of the two current management BIDs as established by the City in 1999. The two BIDs are presumed to continue performing activities relating to the overall viability of the Downtown Lincoln area. These work tasks may involving economic development, parking and transportation, communications and advocacy, as well as additional enhancements relative to the “core overlay” area. The projected FY 2005-2006 Budget for the Management BIDs is \$515,000, with approximately \$285,650 coming from a property assessment for the area-wide BID, approximately \$159,400 coming from a property assessment for the “Core Overlay BID,” and the balance coming in the form of other contributions and transfers.
4. The geographic area encompassed by the two proposed BIDs are predominately characterized by land uses that are business, commercial and public in nature. The two districts’s boundaries are within the general environs of the area commonly known as “Downtown Lincoln.”
5. The Comprehensive Plan’s Vision and programmatic elements recognize the significance of a viable Downtown to the community’s future.
6. The “Downtown Master Plan” was amended into the City-County Comprehensive Plan in September of 2005. The Downtown Master Plan clearly acknowledges the importance of business improvement districts (BIDs) to the long term stability and success of the Downtown area.
7. The Engineering Services Division of the City’s Public Works & Utilities Department recommends a finding of Comprehensive Plan conformance for the creation of the proposed Downtown Management Districts.

Prepared by:

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**DATE:** December 7, 2005

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# COMPREHENSIVE PLAN CONFORMANCE NO. 05016

## CONSENT AGENDA

### PUBLIC HEARING & ADMINISTRATIVE ACTION

#### BEFORE PLANNING COMMISSION:

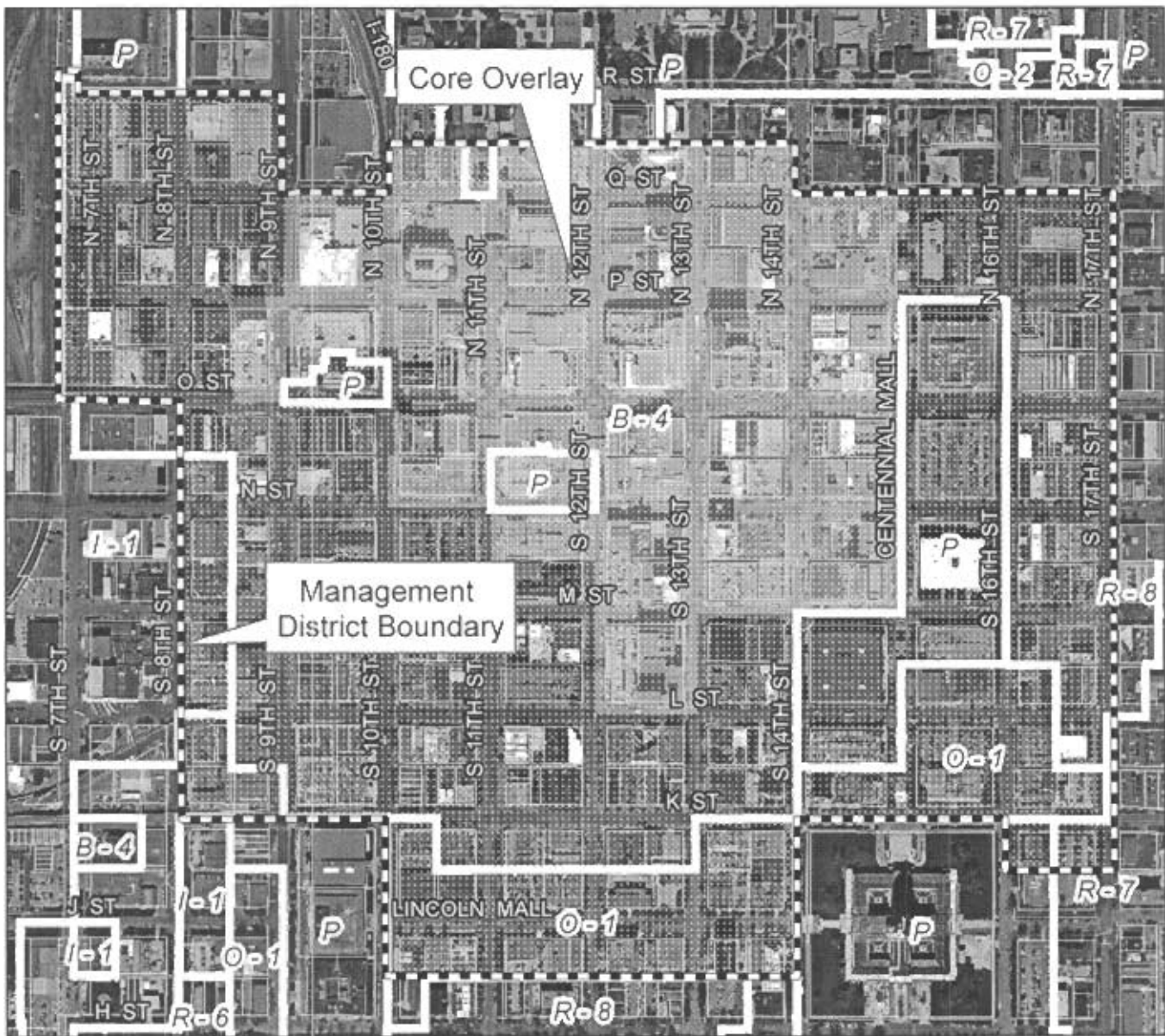
December 21, 2005

Members present: Carlson, Carroll, Esseks, Larson, Strand, Sunderman and Taylor; Krieser and Pearson absent.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 05016.**

Ex Parte Communications: None.

Larson moved to approve the Consent Agenda, seconded by Taylor and carried 7-0: Carlson, Carroll, Esseks, Larson, Strand, Sunderman and Taylor voting 'yes'; Krieser and Pearson absent. This is a recommendation to the City Council.



## Comp. Plan Conformance #05016 Downtown Management District

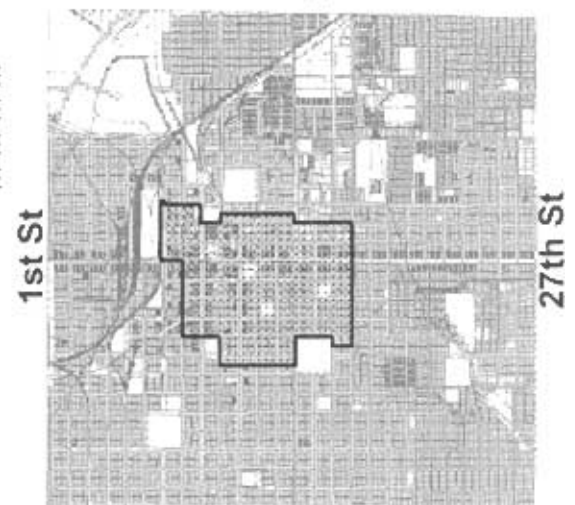
2005 aerial

Holdrege St

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-7	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-6	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

Four Square Miles  
Sec. 23 T10N R06E  
Sec. 24 T10N R06E  
Sec. 25 T10N R06E  
Sec. 26 T10N R06E



A St

007